

Bush May Be Questioned By Walsh in February

Session Seen Likely to Close Iran-Contra Probe

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Independent counsel Lawrence E. Walsh plans to interview President Bush, probably in February after he leaves the White House, to close out the investigation of the Iran-contra scandal but not to gather evidence for some future indictment of Bush or others, according to sources.

A windup session with Bush was supposed to have taken place last July, but Walsh agreed to postpone it to prevent that interrogation from becoming an issue in the president's reelection campaign. The July deposition was to have focused on Bush's memory of events portrayed in notes obtained by Iran-contra prosecutors since 1990 from

former Reagan administration Cabinet members, including former defense secretary Caspar W. Weinberger.

Walsh's questioning of Bush now has taken on an additional purpose in the wake of the discovery Dec. 11 that Bush, like Weinberger, had made personal notes during part of the Iran-contra affair that prosecutors had not previously seen, the sources said. Walsh wants to find out from Bush and others why those notes were not turned over when prosecutors had asked the White House for documents, the sources said.

Walsh first learned of Bush's notes through a telephone call to one of his attorneys by a government lawyer who had worked with

See PRESIDENT, A4, Col. 4

Walsh Awaiting Other Bush Notes

PRESIDENT, From A1

the White House to supply documents to the Iran-contra prosecutors.

Bush, then vice president, began the notes as a campaign diary in November 1986 and kept them outside the vice president's office, sources said. They contain Iran-contra information relevant to the Walsh investigation but are more "personal ruminations by Bush" and thus unlike the "precise notes" of Weinberger, which were the basis for the indictment of the former Reagan Cabinet member, one source said.

Bush's notes are "not very earth-shaking," this source said, and "so far not in conflict" with what Bush told prosecutors who first questioned him about Iran-contra in January 1988.

But, the sources said, Walsh has yet to receive all the Bush notes.

Weinberger, who along with five other former government officials indicted in the Iran-contra scandal was pardoned by Bush on Christmas Eve, had been indicted not only because his notes allegedly contradicted statements he made under oath to congressional investigators but also because he denied to Congress and Walsh's investigators that he even had notes. There is no indication that Bush was ever directly asked by Walsh's prosecutors during the videotaped January 1988 deposition if he had notes. Bush was never questioned by House or Senate investigators.

Tension between Bush and Walsh, which already was great after the indictment of Weinberger, has increased on both sides since the disclosure that Bush made notes and announcement of the pardons.

Walsh sharply criticized the president's action, saying Bush's withholding of notes represented "misconduct." He described Bush as the "subject" of the remaining Iran-contra investigation but did not realize that would lead people to think he was intent on prosecuting Bush, sources said. In using "subject," Walsh was not indicating that Bush

would be a target of grand jury action, but rather would be someone whose activities fell within the scope of Walsh's inquiry.

Bush, who has criticized Walsh's indictment of Weinberger and his six-year, \$31 million investigation, has hired Griffin B. Bell, former attorney general in the Carter administration, to represent him now and after he leaves the White House.

"Bell's appointment escalates attention on the matter," one source said.

The White House and Walsh now appear to be involved in a contest over Bush's notes and the January 1988 videotaped deposition of Bush.

The White House, a Bush aide said, wants to release all the notes—but not until after it checks them against what Bush said more than four years ago to investigators.

Walsh, on the other hand, ultimately will turn over the Bush deposition—but not until he has received all the Bush notes, according to a source close to the prosecutor.

"Walsh doesn't want to have the White House hold back notes that may conflict with Bush's previous statements," the source said.

Bush's questioning by prosecutors four years ago occurred three months before the first indictments of former White House aide Oliver L. North and former national security adviser John M. Poindexter. At that

time, Walsh's investigators were focused on the activities of those men and the original scheme to sell arms to Iran in exchange for Americans held hostage in Lebanon by pro-Iranian terrorists and use the profits to resupply the contra rebels in Nicaragua at a time when Congress barred such aid.

"It was very narrow questioning," said one source familiar with Bush's deposition.

Walsh now wants to take Bush through events of 1985 and 1986 as disclosed by information obtained since that first interrogation, particularly notes obtained from Weinberger and others, including former secretary of state George P. Shultz and former White House chief of staff Donald T. Regan.

"In some cases they contradict public statements by Bush, but nothing more," one source said.

Bush has amended public statements he made in 1986 and 1987 about his knowledge of the covert arms-for-hostages deals because of subsequent information that has come to light through Walsh's investigation.

Aside from questioning Bush, Walsh must write a final report on the Iran-contra scandal and appear before congressional committees that plan to look into Bush's pardons and reauthorization of the independent counsel law.